

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA

WILLIAM A. CLARK; et al.,

*

Plaintiffs,

*

vs.

*

CASE NO. 2:07-mc-03377-MEF

THE UNITED STATES,

*

Defendant.

*


**CONSENT MOTION TO DEFER RESPONSE
AND/OR DEADLINE FOR FILING RESPONSE**

Come now the Plaintiffs, by and through their undersigned attorney, and move this Court for an order deferring the filing of a response to the Alabama National Guard's objection and motion to quash, and as grounds therefor show as follows:

1. This is an ancillary action pursuant to a putative class action filed in the United States Court of Federal Claims. In the underlying putative class action, Plaintiffs complain that they were not paid for certain education and training as required by law. Said education was performed by the Plaintiffs and the Plaintiff Class, as members of the National Guard of their respective State. *See Clark v. U. S.*, 322 F.3d 1358 (Fed. Cir. 2003); *Clark v. U. S.*, 2007 WL 2142652 (July 17, 2007); *Clark v. U. S.*, 69 Fed. Cl. 443 (2006).

2. Pursuant to that action, the United States Court of Federal Claims has directed the parties to conduct discovery regarding which correspondence courses were required to be taken by

MOTION GRANTED

THIS 18th DAY OF December, 2007

UNITED STATES MAGISTRATE JUDGE